

REMARKS

The application has been reviewed in light of the Office Action dated February 27, 2004. Claims 1-29 are currently pending in this application, with claims 1, 9, 17, 28, and 29 being in independent form. It is submitted that no new matter has been added and no new issues have been raised by the present response.

Reconsideration is respectfully requested of the objection to the drawings. The Office Action has indicated that Figure 1 should be designated by a legend indicating that it is prior art. This objection is respectfully traversed. Figure 1 is referenced in the Description of the Related Art portion of the present disclosure and has not been admitted by Applicant to be prior art. With regard to the formal drawing requirement, it is respectfully pointed out that formal drawings were submitted on August 17, 2001. Accordingly, withdrawal of the objections to the drawings is respectfully requested.

Claims 1, 7-8, and 17 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Applicant's alleged admitted prior art. Claims 28 and 29 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 6,009,422 to Ciccarelli. Claims 2-6 and 18-27 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Applicant's alleged admitted prior art in view of Ciccarelli. Claims 9-16 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Ciccarelli in view of Applicant's alleged admitted prior art.

Applicant has carefully considered the comments of the Office Action and the cited art, and respectfully submits the independent claims are patentably distinct from the cited art for at least the following reasons.

Independent claim 1 relates to a method of processing a database service query,

comprising: receiving a service query, including a filter having one or more filter items, expanding the filter, and applying a condition test to each filter item to determine if the filter item includes a NOT connective and if the filter item is one of two types of filter items.

The Office Action cites pages 1-6 of the specification of the present application, and alleges that the method of independent claim 1 has been disclosed by alleged "prior art" discussed in the specification (see Office Action, p. 3, ln. 15 to p. 4, ln. 13). Applicant respectfully disagrees.

It is respectfully submitted that the portion of the specification referred to in the Office Action (pages 1-6 of the specification) sets forth background and related information with respect to the present disclosure. The portion of the specification referred to in the Office Action is a "Description of the Related Art". No admission of any "prior art" has been expressed or implied in the specification.

Accordingly, it is respectfully submitted that independent claims 1 and 17, and the claims depending therefrom, are in condition for allowance.

Withdrawal of the rejection of claims 1, 7-8, and 17 is respectfully requested.

Regarding the rejection to claims 28 and 29, Ciccarelli is cited as allegedly disclosing a plurality of tables storing arbitrary data and a condition tester (see Office Action, p. 6, lns. 9-13). Applicant respectfully disagrees.

Ciccarelli, as understood by Applicant, relates to an information retrieval system and method that translate a single search request or query across heterogeneous databases independent of database search grammar. A client uses a process to express the query in a powerful programming language, i.e., Generalized Query Language (GQL) which has a wide variety of operators to precisely specify the conditions of the query and enable a fused

response to be provided by the databases to the query. The process translates the query into phrases contained in a GQL and constructs a complex search query which bridges the gap between the query and the low level of functionality provided in search engines associated with the databases.

The Office Action cites the description in Ciccarelli of the fielded and Boolean constructs of GQL as allegedly disclosing "a condition tester that determine[s] whether a filter item is a type only filter item or a type and value filter item" (see Office Action, p. 6, lns. 12-14).

The ordinal fielded operators of GQL are used when dealing with fields containing ranges of values such as numbers and dates (see Ciccarelli, col. 4, lns. 30-64). The ordinal fielded operators are used to determine whether some values are greater or lesser than others.

Four operators take a field name and a single value (less than, greater than, less than or equal to, and greater than or equal to), while two operators require two values: Between Inclusive and Between Exclusive (see id.). The Between Inclusive and Between Exclusive operators test the numerical value of a field against a range of values, instead of against a single value (see id.).

As understood by Applicant, GQL also includes three Boolean operators (OR, AND, SUBTRACT) that are used to join multiple simple query expressions into complex expressions to more closely define the information sought (see id.).

However, Applicant finds no teaching or suggestion in Ciccarelli of a condition tester that determines whether a filter item is type only filter item or a type and value filter item, as recited in independent claim 28.

Accordingly, Applicant submits that independent claim 28 is patentable over the cited

art. Independent claim 29 is believed to be patentable over the cited art for at least similar reasons.

Withdrawal of the rejection of claims 28 and 29 under 35 U.S.C. 102(e) is respectfully requested.

Regarding the rejection of independent claim 9, the Office Action states that Ciccarelli does not disclose or suggest filter expanding means, and cites the discussion of background information in the specification of the present application as supplying the missing element (see Office Action, p. 19, Ins. 1-15).

It is respectfully submitted, however, that for at least the reasons set forth above Ciccarelli does not disclose or suggest condition test means for determining whether each filter item includes a NOT connective and whether each filter item is one of two types of filter items, as recited in independent claim 9.

It is again respectfully pointed out that the present specification discloses background and related art and does not make any admission of "prior art". Accordingly, the specification of the present disclosure provides none of the elements missing from Ciccarelli that would have made claim 9 obvious to a person of ordinary skill in the art.

Accordingly, Applicant respectfully submits that independent claim 9, and the claims depending therefrom, are patentable over the cited art.

Withdrawal of the rejection of claims 9-16 is respectfully requested.

The Office is hereby authorized to charge any additional fees that may be required in connection with this response and to credit any overpayment to our Deposit Account No. 03-3125.

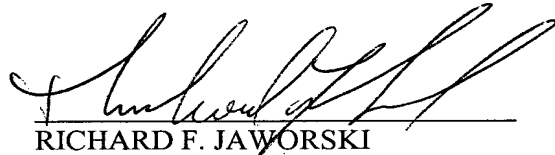
If a petition for an extension of time is required to make this response timely, this

paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Entry of this response and allowance of this application are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard F. Jaworski', written over a horizontal line.

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